

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FOAMEX INTERNATIONAL INC., <u>et al.</u> Appellant v. JEFFERIES AND COMPANY, INC., Appellee	Civil Action No. 07-622 (JFF)
In re: FOAMEX INTERNATIONAL INC., <u>et al.</u> , Debtors.	Chapter 11 Bankruptcy Case No. 05-12685 (KG) Jointly Administered


STIPULATION OF DISMISSAL WITH PREJUDICE

Foamex International Inc., Foamex L.P., Foamex Latin America, Inc., Foamex Asia, Inc., FMXI, LLC (formerly FMXI, Inc.), Foamex Carpet Cushion LLC, Foamex Capital Corporation, Foamex Mexico, Inc. and Foamex Mexico II, Inc., the above captioned reorganized debtors (collectively, the "Reorganized Debtors") on one hand and Jefferies and Company, Inc. ("Jefferies") on the other hand, stipulate that this appeal shall be dismissed with prejudice.

Each Party shall bear its own costs, including legal and attorney fees incurred in connection with the above-entitled action, including the preparation and performance of this joint stipulation.

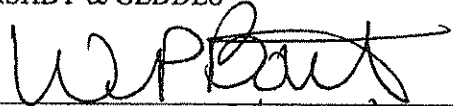
Dated: January ²⁶ __, 2008

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